

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

TIMOTHY ALLEN GILBERT,)
Plaintiff,) Civil Action No. 7:16CV00200
v.)
LT. HAYES,) Hon. Glen E. Conrad
Defendant.) Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The plaintiff is **GRANTED** leave to proceed in forma pauperis; and
2. The action is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and shall be stricken from the court's active docket.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 28th day of April, 2016.

/s/ Glen E. Conrad
Chief United States District Judge